

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Joseph L. Duffy et al

Serial No.: 10/701,186

Filed: November 4, 2003

Group Art Unit: 1626

Examiner: L. L. Stockton

For: CYANOTHIOPHERE DERIVATIVES, COMPOSITIONS CONTAINING  
SUCH COMPOUNDS AND METHODS OF USE

### NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Applicant(s) hereby appeal(s) to the Board of Appeals from the decision dated March 6, 2006 of the  
Examiner rejecting claims 14 & 15

The item checked below is appropriate:

- Fee not required (Fee paid in prior appeal).  
 Charge the \$500 fee to Deposit Account No. 13-2755.

(Duplicate copy of this Notice is enclosed herewith)

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment  
to Deposit Account 13-2755. Duplicate copies of this sheet are enclosed.

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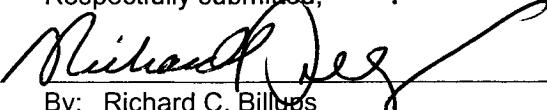
MERCK & CO., INC.

By Lamela Scialing Date 5-22-06

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Respectfully submitted,

  
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IN DUPLICATE

DATE: May 22, 2006